

Sample Advertisements



Andrea Levine

Director

National Advertising Division

Council of Better Business Bureaus

FTC-NAD Workshop:

**Effective Disclosures in
Advertising**

May 22, 2001

Webmiles Video

ESCAPE THE MISERY OF **TAX TIME** WITH
DEALTIME.COM AND WIN THE ULTIMATE TAX BREAK.

VISIT US BEFORE APRIL 15TH

AND **WE'LL EITHER PAY
YOUR DEBT** TO UNCLE SAM OR
MATCH YOUR REFUND*

NOW THAT YOU WON'T HAVE TO HATE THE IRS ALL DAY LONG...

WHAT WILL YOU DO
WITH YOUR  **DealTime?**

[WWW.DEALTIME.COM](http://www.DealTime.com)

THE #1 COMPARISON SHOPPING SITE.

*Limit 3 prizes for under \$1000 each. Visit DealTime.com for complete details. ©2000 DealTime.com Ltd.

Gateway Video

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WITH THE HELP OF PAGING ✓ VOICE MAIL ✓ MOBILE WEB ✓



WE PUT TOGETHER THE WORLD'S MOST POWERFUL TECHNOLOGIES IN WAYS THAT HELP YOU DO WHATEVER YOU WANT, WHENEVER YOU WANT. LOCAL CALLING PLANS • LONG DISTANCE • WIRELESS SERVICES • CALLING SERVICES PACKAGES • ONLINE DSL NATIONAL 411 • VOICE MAIL • SUPERPAGES.COM • MOBILE WEB SERVICE • CALLER ID • ADDITIONAL LINES • VISIT VERIZON.COM.



How to get life done.

Case #3401 (7/1/97)

SPRINT COMMUNICATIONS COMPANY

Telecommunications Services

Various Advertising Agencies

- Disclosure of material terms of an offer, in very small print on the back side of a service provider's promotional materials does not constitute clear and conspicuous disclosure.

Basis of Inquiry: Two direct-mail pieces nationally distributed by Sprint Communications Company were brought to the attention of the NAD by NYNEX. Both advertisements were directed to America West Airlines customers and were associated with its frequent flier program.

The first promotional piece invited participants in American West Airlines' frequent flier program to earn bonus miles with Sprint. It informed the reader that "...when you choose Sprint, you're going with the *long-distance* carrier ranked #1 in the 1996 J.D. Powers and Associates' Customer Satisfaction Study" The reader could "switch to Sprint and receive 5,000 Bonus Miles ... plus ... five miles for every dollar spen[t] on *long-distance* calling..." by checking the box marked, "Yes, I would like to earn a total of six miles for every *long distance* dollar billed..." on the attached enrollment form. On the back of this mailing, the first item on a list which appears in small print in a section under the title, "*Long-Distance Authorization*" explains: "My signature on this form authorizes Sprint to notify the local telephone company to switch my long distance service and my local toll service, if available, to Sprint (Emphases added).

The second promotional piece, which also offers the frequent traveler Bonus Miles for switching to Sprint, describes the Sprint Sense® programs under the heading "Sprint *Long-distance* Calls Are As little As A Dime Per Minute." In the enrollment form the customer is given the choice between "Sprint Sense for residential *long-distance* service or "Sprint Sense International [for] low Sprint rates on both domestic and international calls..." Like in the first piece, item one of seven listed under the heading "*Long-Distance Authorization*" on the back of this promotional piece discloses: "My signature on this form authorizes Sprint to notify the local telephone company to switch my long-distance service and my local toll service, if available, to the Sprint calling plan..." (Emphases added)

Challenger's Position: The challenger maintained that this advertising campaign is deceptive because millions of telephone customers are being asked to subscribe to one particular type of service, when, in fact, they are subscribing to something else. The challenger explained that long distance, local and regional (intra-state toll calls) service are three different services which, in many states, may be ordered separately A customer ordering long distance service from Sprint, or another carrier, should not (without giving express authorization) be automatically subscribed to regional service for which there is vigorous competition. According to the challenger, this promotional practice amounts to "slamming," i.e., changing a customer's carrier without the customer's knowledge.

The challenger argued that the first of these direct mail pieces contains all the necessary components of a "bait and switch" scheme. According to the challenger, the bait is the offer of up to 7,500 America West Bonus Miles for enrolling with Sprint for residential long distance service and remaining a Sprint customer for six months. The switch, according to the challenger, is that by accepting this offer the customer "will inadvertently subscribe to Sprint for regional service as well." It pointed out that only the "mousetype on the reverse side of the LOA disclosers] that the consumer has also subscribed to Sprint as the regional carrier.

The challenger also noted that the text in the second promotional piece repeatedly refers to Sprint's long-distance services. Again, it pointed out that only on the reverse side of the mailer, "in minuscule type, does the advertiser finally disclose that 'My signature on this form authorizes Sprint to notify the local telephone company to switch my long-distance service and my local toll service if available, to the Sprint calling plan ...' (Emphasis added.)"

It's a calling plan, not a sorry-I-can-only-talk-during-obscure-inconvenient-off-peak-hours plan.



No one gives you more minutes to talk **WHenever** you want.* Take the VoiceStream Challenge at voicestream.com and see for yourself.

1000
weekend minutes

500 **WHENEVER**
minutes

\$39.99
a month

VoiceStream
Get more from life.

Call 1-888-STREAMS (787-3267) for free details

voicestream.com

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 CHICAGO: 773-528-8888
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 CLEVELAND: 216-528-8888
 DALLAS: 972-528-8888
 DENVER: 303-528-8888
 DETROIT: 313-528-8888
 HOUSTON: 281-528-8888
 LOS ANGELES: 213-528-8888
 MIAMI: 305-528-8888
 MINNEAPOLIS: 612-528-8888
 NEW YORK: 212-528-8888
 PHOENIX: 602-528-8888
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 SEATTLE: 206-528-8888
 TAMPA: 813-528-8888
 WASHINGTON DC: 202-528-8888

AUTHORIZED DEALERS

ATLANTA: Best Buy, Radio Shack, Fry's Electronics
 BALTIMORE: Best Buy, Radio Shack, Fry's Electronics
 BOSTON: Best Buy, Radio Shack, Fry's Electronics
 CHICAGO: Best Buy, Radio Shack, Fry's Electronics
 CINCINNATI: Best Buy, Radio Shack, Fry's Electronics
 CLEVELAND: Best Buy, Radio Shack, Fry's Electronics
 DALLAS: Best Buy, Radio Shack, Fry's Electronics
 DENVER: Best Buy, Radio Shack, Fry's Electronics
 DETROIT: Best Buy, Radio Shack, Fry's Electronics
 HOUSTON: Best Buy, Radio Shack, Fry's Electronics
 LOS ANGELES: Best Buy, Radio Shack, Fry's Electronics
 MIAMI: Best Buy, Radio Shack, Fry's Electronics
 MINNEAPOLIS: Best Buy, Radio Shack, Fry's Electronics
 NEW YORK: Best Buy, Radio Shack, Fry's Electronics
 PHOENIX: Best Buy, Radio Shack, Fry's Electronics
 PORTLAND: Best Buy, Radio Shack, Fry's Electronics
 SAN ANTONIO: Best Buy, Radio Shack, Fry's Electronics
 SAN DIEGO: Best Buy, Radio Shack, Fry's Electronics
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Long distance charges?
 Digital roaming charges?

Take it off.
 Take it all off.

All weekend long.



The only plan you can't
 make more anytime minutes
 and cellular features
 for \$39.99 a month
 GUARANTEED!

600
NATIONWIDE MINUTES
ANYTIME



INCLUDES LONG DISTANCE
 AND DIGITAL ROAMING
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500
TOTALLY FREE
ALL AMERICAN
WEEKEND MINUTES



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 DIGITAL ROAMING INCLUDED
 WITHIN THE U.S. (EX. INT'L)

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a month

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Atlanta, GA	Atlanta, GA	Atlanta, GA	Baltimore, MD	Boston, MA	Chicago, IL	Cincinnati, OH	Cleveland, OH	Dallas, TX	Denver, CO	Detroit, MI	Houston, TX	Los Angeles, CA	Miami, FL	Minneapolis, MN	New York, NY	Phoenix, AZ	Portland, OR	San Antonio, TX	San Diego, CA	Seattle, WA	Tampa, FL	Washington DC, DC

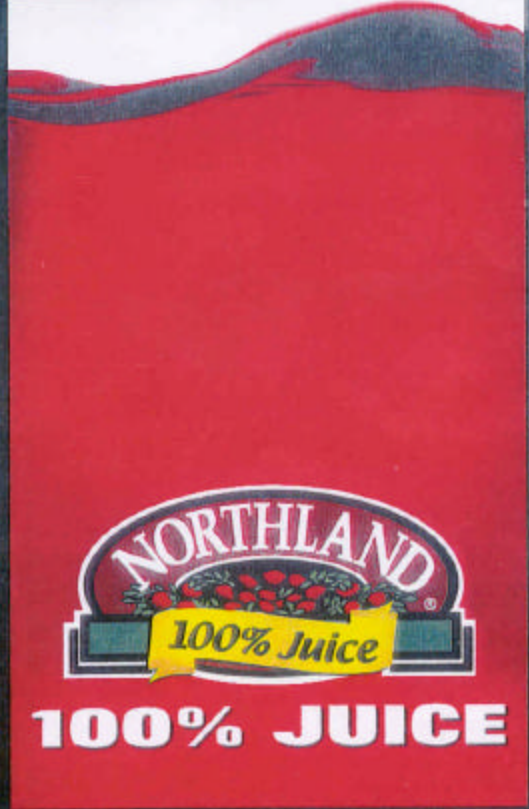
Cranberry Juice Video



**ALWAYS DEMAND
100% JUICE.**



27% JUICE



100% JUICE

РЕКОРДНЫЙ ПРЫЖОК К НИЗКИМ ЦЕНАМ!



НОВИНКА:

По нашей Global Calling Card вы можете звонить из Москвы в Нью-Йорк всего за **25 центов/минута**.



За разговор по мобильному телефону вы платите столько же, сколько и по обычному!

SAVERate ^{Canada}

Telex Aviv



С-ПЕТЕРБУРГ	11.9 с
РОССИЯ	19.9 с
БЕЛАРУСЬ	31.9 с
ГРУЗИЯ	35.9 с
АРМЕНИЯ	35.9 с
АЗЕРБАЙДЖАН	37.9 с
УЗБЕКИСТАН	39.9 с
МОЛДОВА	31.9 с
ЭСТОНИЯ	22.9 с
ЛИТВА	32.9 с
КАЗАХСТАН	39.9 с
АВСТРАЛИЯ	8.9 с



econophone

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Planters Peanuts Video

MCI 5¢ a Minute Video

Verizon 10¢ a Minute Video

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